

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

BITUMINOUS CASUALTY	)	4:06CV3128
CORPORATION,	)	
	)	
Plaintiff,	)	
vs.	)	<b>ORDER</b>
	)	
AARON FERER AND SONS	)	
COMPANY and UNION PACIFIC	)	
RAILROAD COMPANY,	)	
	)	
Defendants.	)	

IT IS ORDERED that Defendant Aaron Ferer and Sons Company's motion for enlargement of time (filing 106) is granted in part and denied in part, as follows:

1. Defendants shall not be required to respond to Plaintiff's motion for summary judgment (filing 44) until ten (10) days after the pending motion to compel (filing 89) is decided
2. In all other respects the motion is denied, without prejudice to the filing a motion for a further enlargement of time in the event the motion to compel is granted in whole or in part.

April 11, 2007.

BY THE COURT:

s/ *Richard G. Kopf*  
United States District Judge